

PATENT

Docket No.265.00260101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Watowich et al.	)	Group Art Unit:	1631
Serial No.:	09/981,286	)	Examiner:	Ardin Marschel
Filed:	October 15, 2001	)	Confirmation No.:	4993
For:	DRUG DISCOVERY METHODS			

---

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement mailed **February 27, 2003**, Applicants elect, with traverse, Group VIII (claims 25-29), drawn to a method of identifying a polypeptide within a collection that prevents cell death. In response to the requirement for election of species, applicants also elect Vero cells. Support for the species can be found at, for instance, pg. 10, line 29, of the specification. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

**Response to Restriction Requirement**

Page 2 of 2

Applicant(s): Watowich et al.

Serial No.: 09/981,286

Confirmation N.: 4993

Filed: October 15, 2001

For: DRUG DISCOVERY METHODS

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 26th day of March, 2003, at 9:05am (Central Time).

SARA E. OLSON  
Name: SARA E. OLSON

March 26, 2003  
Date

Respectfully submitted for  
**Board of Regents, The University of  
Texas System**

By

Mueting, Raasch &amp; Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612)305-1220

Facsimile: (612)305-1228

Customer Number 26813



26813

PATENT TRADEMARK OFFICE

By: David L. Provence

David L. Provence

Reg. No. 43,022

Direct Dial (612)305-1005

PATENT  
Docket No. 265.00260101

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant(s): Watowich et al. ) Group Art Unit: 1631  
Serial No.: 09/981,286 ) Examiner: Ardin Marschel  
Filed: October 15, 2001 ) Confirmation No.: 4993  
For: DRUG DISCOVERY METHODS

FAX RECEIVED

MAR 27 2003

GROUP 1600

FACSIMILE TRANSMISSION TO THE PTO

Assistant Commissioner for Patents  
Attn: Examiner Ardin Marschel  
Washington, D.C. 20231

FAX NUMBER: 703-872-9306  
Total Pages (including cover page): 3  
Time: 9:05am (Central Time)  
(Transmission must be complete by  
midnight eastern time.)

The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Response to Restriction Requirement (2 pgs.)

X Small Entity Status is entitled to be asserted in the above-identified application.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.  
Customer Number: 26813



26813

PATENT TRADEMARK OFFICE

March 26, 2003  
Date

By: David L. Provence  
David L. Provence  
Reg. No. 43,022  
Direct Dial (612)305-1005

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 26th day of March, 2003, at 9:05am (Central Time).

March 26, 2003  
Date

Signature: James E. Olson  
Name: SPRA & OLSON

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).